IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.62 OF 2005

IN

CONTEMPT PETITION NO.172 OF 1999

Cheruvathur Varghese Joy ..Applicant.

Vs.

Maegaware Computers Ltd. & Ors. ..Respondents.

...

Mr.K.P.Anilkumar for the Applicant.

CORAM : DR.D.Y.CHANDRACHUD, J.

14th December, 2005.

P.C. :

This Application seeks to a fresh non-bailable warrant against the Second Respondent and it has been submitted that the order dated 17th January, 2003 passed by this Court (S.Radhakrishnan, J.) for the issuance of a non-bailable warrant remained unexecuted. However, the record of the main contempt petition shows that on 20th February, 2003, the Learned Single Judge

recalled the earlier order for the issuance of a non-bailable warrant, since the First and Second Respondents had appeared before the Court through counsel and the Second Respondent was personally present before the Court and an assurance was given that the Second Respondent will remain present whenever required. The First and the Second Respondents were directed to file an affidavit in reply which has been filed on 4th June, 2003. In that view of the matter, the Civil Application is dismissed. However, the office is directed to place the Contempt Petition for further directions after two weeks.